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EXAMINER	
NGUYEN, NGON BINH	
ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/574,777	IWATA ET AL.	
	Examiner	Art Unit	
	NGON NGUYEN	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 April 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10 and 11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 10-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/29/10 for considering applicant's amendment on 3/31/10 has been entered:

Claims 1, 2, 4, 6, 7, 10, and 11 have been amended.

Claim(s) 9 have been canceled.

No Claims have been added. Claims 1-8 and 10-11 are still pending in this application, with claim 1 being independent.

Specification

2. The amendment filed 3/31/10 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "printed recording sheet" in "a document ejecting port arranged in a front portion of said apparatus main body for ejecting a printed recording sheet" is not described in specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Kuriyama et al. (US Patent No. 5,710,634) in views of Uchiyama et al. (US Patent No. 6,246,493).

With reference to claim 1, Kuriyama et al. discloses a known (prior art) apparatus, FIG 57, which has a scanner section and a printer section of a facsimile apparatus, column 2 lines 15-20, comprising:

an operation panel arranged in an upper front position of an apparatus main body (a keyboard, FIG 57/503, with a display section/panel, FIG 57/501, which are arranged in an upper front of the apparatus body. The display section/panel (lid) is supported by a hinge portion, FIG 57/502, covers the keyboard, FIG 57/503, in a close position, column 1 lines 24-33);

a display unit arranged in an upper portion of said apparatus main body, closably arranged relative to said operation panel, located in an upper rear position of said operation panel upon opening, and overlaid onto said operation panel upon closing (a display section/unit, FIG 57/501, is arranged in a upper portion of the apparatus main body closable by pivotally moving about a hinge, FIG 57/502, in an upper rear portion of

the keyboard (operation panel), FIG 57/503, and covers (overlays onto) the keyboard (operation panel) in a close position, column 1 lines 24-35);

a document inserting port arranged in the upper portion of t-he said apparatus main body, for inserting [[a]]an original document from a location to the rear of said display unit (three paper trays, FIG 57/507, locates on a location to the rear of the display section/panel, FIG 57/501, for a user to insert document or an original for scanning, FIG 68, (display section/panel may be closed for conveniently using the trays), column 2 lines 11-59);

a recording paper inserting port arranged in the upper portion of t-he said apparatus main body, for inserting a blank recording sheet from a location to the rear of said display unit (three paper trays, FIG 57/507, locates on a location to the rear of the display section/panel, FIG 57/501, for a user to insert recording paper for printing, FIG 69, (display section/panel may be closed for using the trays), column 2 lines 11-67 and column 3 lines 1-3);

wherein said display unit does not cover said document inserting port and said recording paper inserting port when said display unit is closed (the display section/units, FIG 57/501, when being closed does not cover the document insertion port, FIG 57/505, and recording paper inserting ports, FIG 57/507).

Kuriyama et al. discloses a known (prior art) apparatus, FIG 57, having the facsimile device design which does not use the design option wherein:

a document ejecting port arranged in a front portion of said apparatus main body for ejecting a printed recording sheet.

However, Uchiyama et al. discloses a facsimile apparatus, Uchiyama; FIG 1, using the design option which allows a document discharge/eject port arranged in front of the apparatus, Uchiyama; FIG 1/206, column 3 lines 7-9).

Reference Uchiyama discloses the facsimile apparatus which uses the design option that allows a document to be fed in the rear of the apparatus and discharged/ejected in front of the apparatus, Uchiyama; FIG 1, would be interchangeable with design option discloses by Kuriyama, FIG 67/505 detailed in FIG 68, without effecting the performance of the facsimile device and it is similar to the claimed invention; wherein the design incentive of using Uchiyama design would have been recognized by one skill in the art as to provide user a design choice that is applicable to the prior art design disclosed by Kuriyama. Therefore the claimed subject matter would have been obvious to a person having ordinary skill in the art at the time the invention was made.

With reference to claim 2 (depends on claim 1), Kuriyama et al. further discloses the apparatus, wherein:

said display unit is rotated around a rotational center portion as a fulcrum provided for a rear portion of said operation panel, so that it is opened or closed to said operation panel (a display section, FIG 57/501, which is arranged in a upper portion of the apparatus main body, is closable or pivotally moving about a hinge (fulcrum) in an upper rear portion of the keyboard (operation panel), FIG 57/502, and covers (overlays

onto) the keyboard (operation panel), FIG 57/503, in a close position, column 1 lines 24-35).

With reference to claim 3 (depends on claim 1), Kuriyama et al. further discloses the apparatus, wherein:

an opening angle of said display unit is variable (the display section, FIG 57/501, is supported by a hinge portion, FIG 57/502, thus the display portion/panel is pivotally closed or open and therefore the opening angle is variable, column 1 lines 24-33).

5. Claims 4-8, and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuriyama et al. (US Patent No. 5,710,634) in view of Uchiyama et al. (US Patent No. 6,246,493) as applied to claim 1 above, and further in view of Aibara et al. (US Patent No. 6,011,634).

With reference to claim 4 (depends on claim 1), Kuriyama et al. further discloses the apparatus comprising:

a first display apparatus arranged on a first surface of said display unit (the inner surface of a display section (lid), FIG 57/50, which faces the keyboard (operation panel), can be designated as the first surface of the display unit, column 1 lines 24-35);

Kuriyama et al. in view of Uchiyama et al. does not disclose the following disclosed by Aibara et al.:

a second display apparatus arranged on a second surface of said display unit opposite to the first surface (a plurality of LED displays, Aibara; FIG 13/45, are

mounted/arranged on the opposite side of the display panel (lid), Aibara; FIG 14/3, which can be designated as the second surface of the lid assembly, Aibara; column 17 lines 37-39);

when said display unit is opened, said first display apparatus is exposed and said second display apparatus is hidden from a user, and when said display unit is closed, said first display apparatus is hidden and said second display apparatus is exposed to the user (when the lid assembly is opened the first surface is exposed to user while the second display is hidden from the user and vice versa, Aibara; FIG 13/3 and FIG 14/3).

Reference Aibara discloses an evidence of a design option in arranging LED displays (second display) or the like on the second surface or the top surface of the display panel or lid when it is closed that would have been recognized by one skill in the art as applicable to Kuriyama design as to provide user a design choice that meets user need. Therefore the claimed subject matter would have been obvious to a person having an ordinary skill in the art at the time of the invention was made.

With reference to claim 5 (depends on claim 4), Aihara et al. further discloses the facsimile equipment, wherein:

a first button group and a second button group are arranged on said operation panel, and when said display unit is closed, said first button group is hidden and said second button group is exposed to the user, and when said display unit is opened, both of said first button group and said second button group are exposed to the user (the first button group, Aibara; FIG 14/40, which is hidden from user when the lid assembly,

Aibara; FIG 14/3, is closed while the second button group, Aibara; FIG 13/41, is exposed to user. Both are exposed to user when the lid assembly is opened).

With reference to claim 6 (depends on claim 5), Aihara et al. further discloses the facsimile equipment wherein:

said first button group is buttons regarding operation of contents which are displayed to said first display apparatus and said second button group is buttons by which the operation can be executed only by displaying onto said second display apparatus without displaying onto said first display apparatus (operation module, Aibara; FIG 1/10, interfaces with the display module, Aibara; FIG 1/13, which operate the LCD display, FIG 8/84, designated as the first display. The second display, Aibara; FIG 13/45, emits light when receiving a signal from the amplification circuit, Aibara; FIG 5/44, when the transmission/reception button, Aibara; FIG 5/41 or FIG 13/41, is depressed, Aibara; column 14 lines 54-65).

With reference to claim 7 (depends on claim 4), Aihara et al. further discloses the facsimile equipment wherein:

a third button group is arranged in an area of the first surface out of an area of said first display apparatus, the user is notified of functions of t-he said third button group by displaying onto said first display apparatus, and the functions of said third button group are changed due to a change in contents displayed to said first display apparatus (the third button group being the displayed options in the form of graphic user

interface displayed on the LCD display designated as first display that allows user to select or interact during system operation, Aibara; columns 23 lines 15-28. The displayed options or software keys (touch keys) are changed as required for different operation).

With reference to claim 8 (depends on claim 4), Aihara et al. discloses the facsimile equipment further comprising detecting means for detecting opening/closure of said display unit, wherein

when said display unit is opened, said first display apparatus is set to a display mode and said second display apparatus is set to a non-display mode, and when said display unit is closed, said first display apparatus is set to the non-display mode and said second display apparatus is set to the display mode (the interlock power switch turns off the first display (non-display mode) when the lid assembly, Aibara; FIG 14/3, is closed, Aibara; column 3 lines 42-55. When the lid is closed, the second display, Aibara; FIG 13/45, emits light when receiving a signal from the amplification circuit, Aibara; FIG 5/44, when the transmission/reception button, Aibara; FIG 5/4 or FIG 14/41, is depressed, column 14 lines 54-65).

With reference to claim 10 (depends on claim 5), Aihara et al. further discloses the facsimile equipment wherein:

said second button group includes buttons regarding telephone operation (the second button group or the transmission/reception key, Aibara; FIG 13/41, is required to

be depressed to turn on, Aibara; FIG 27/S714, for the phone connection/operation when the phone number is dialed using the numeric keys on the keyboard, Aibara; FIG 14/40, and column 26 lines 25-44).

With reference to claim 11 (depends on claim 10), Aihara et al. further discloses the facsimile equipment wherein:

said second button group includes numeral buttons which are used when the user pushes enters a telephone number (the second button group or the transmission/reception key, Aibara; FIG 13/41, is required to be depressed to turn on, Aibara; FIG 27/S714, for the phone connection/operation in associated with the telephone number being dialed /pushed by user, Aibara; FIG 14/40, and column 26 lines 25-44).

Response to Arguments

6. Applicant's arguments, with regards to claims in particular the feature: "a document inserting port arranged in the upper portion of said apparatus main body, for inserting an original document from a location to the rear of said display unit; a document ejecting port arranged in a front portion of said apparatus main body for ejecting a printed recording sheet" that "these features are not believed to be disclosed or suggested in Kuriyama". These arguments have been considered but are moot in view of the new ground(s) of rejection. As explained in the claim rejections 1 above, reference Kuriyama in view of Uchiyama discloses this limitation, Uchiyama; FIG 1; column 3 lines 7-9.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngon Nguyen whose telephone number is (571)270-7533. The examiner can normally be reached on Mon - Thur 8-5 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NGON NGUYEN/

Examiner, Art Unit 2625

/Benny Q Tieu/

Supervisory Patent Examiner, Art Unit 2625